

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit : 1623 Customer No.: 035811
Examiner : Michael C. Henry
Serial No. : 10/524,653
Filed : February 17, 2005
Inventors : Zhan-qi Niu Docket No.: UNI-05-1016
: Kai Zhao
: Wen-juan Liu Confirmation No.: 8338
: Gui-rong Zhou
: Chao Liu
: Rong-duan Wang
: Hong-zhong Yuan
: Wen-min Guo
: Sui-chao Yan
: Min Bai
Title : INCLUSION COMPLEXES OF BUTYLPHthalide
: WITH CYCLODEXTRIN OR ITS DERIVATIVES,
: A PROCESS FOR THEIR PREPARATION
: AND THE USE THEREOF

Dated: January 28, 2008

RESPONSE

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is submitted in response to the Official Action dated September 27, 2007.

Claims 1-5, 12-14 and 16 stand rejected under 35 U.S.C. §103 over the hypothetical combination of Habon with Xu 2001. The Applicants note with appreciation the Examiner's detailed comments hypothetically applying the combination against those rejected claims. The Applicants nonetheless respectfully submit that one skilled in the art would not make the hypothetical combination. Reasons are set forth below.

The rejection states that the only difference between Xu 2001 and the subject matter of Claims 1-5, 12-14 and 16 is that Applicants' compound is complexed with cyclodextrin. The Applicants agree that Xu 2001 does not disclose cyclodextrin. However, Xu 2001 also does not disclose a molar ratio of the active butylphthalide to cyclodextrin molar ratio of 1:1-10. This is important as will be set forth below.